IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

WP(C).No. 12824 of 2007(B)

PETITIONER:

N.V.GEORGE,AGED 51,S/O.VARKEY,
NELLIYANIYIL HOUE,VELLAPAD KARA,LALAM VILLAGE,
MEENACHIL TALUK,PALAI.

BY ADV. SRI.K.S.HARIHARAPUTHRAN
SRI.GEORGE MATHEW

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY ITS SECRETARY,LOCAL SELF GOVERNMENT DEPARTMENT, GOVT.SECRETARIAT,THIRUVANATHAPURAM.

2. PALAI MUNICIPALITY,REP.BY ITS SECRETARY, MUNICIPAL OFFICE,PALAI.

3. THE SECRETARY,PALAI MUNICIPALITY, MUNICIPAL OFFICE,PALAI.

4. BIJU AGED 35,PALUPPADAVIL,MUNICIPAL COUNCILLOR,PALAI MUNICIPALITY,RES.AT PALUPPADAVIL HOUSE,VELLAPAD KARA,LALAM VILLAGE,MEENACHIL TALUK, PALA.

5. SMT.CICILY JOSEPH,VAZHAYIL HOUSE, VELLAPPADU,PALA.

6. PRABHAKARAN NAIR,VELLANJOOR,KAROOR, PALAI.

BY SC SRI.V.M.KURIAN
BY G.P. SMT.T.B.RAMANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 12824 of 2007

Dated this 12th day of April, 2007

JUDGMENT

Sri.V.M.Kurian, the learned Standing Counsel takes notice on behalf of the Municipality. Even though Sri.George Mathew, the learned counsel for the petitioner has addressed before me on the various grounds raised in the writ petition, since it is seen that Ext.P5 is only a notice cum stop memo to which the petitioner has already submitted Ext.P6, I am of the view that it will suffice if the respondent Municipality is directed to take an early decision on the matter. Considering the urgency projected by the petitioner, the writ petition will stand disposed of issuing the following directions:

The Municipality will consider Ext.P6, in the light of the various grounds raised in the writ petition and the documents produced along with the writ petition, hear the petitioner and take a decision on the issue covered on Ext.P5 at the earliest, at any rate, within 10 days from today. It is open to the

Municipality to hear the complainants also before taking decision.

PIUS C.KURIAKOSE
Judge

dpk